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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

SAFEBUILT INSURANCE SERVICES,
INC., a/k/a SAFEBUILT WHOLESALE
INSURANCE SERVICES, INC., THE
TAFT COMPANIES, LLC,
PREFERRED GLOBAL HOLDINGS,
INC., DAVID E. PIKE, DAVID E. PIKE,
INC., PHILIP SALVAGIO, SALMEN
INSURANCE SERVICES, INC., f/k/a
SALVAGIO, INC., CARL M. SAVOIA,
PACIFIC RE, INC., and PAC RE 5-AT,
a protected cell captive of PACIFIC RE,
INC.,

Plaintiffs,

-VS-

AMTRUST NORTH AMERICA, INC.
and TECHNOLOGY INSURANCE
COMPANY, INC.,

Defendants.

Case No. MC _____

**PLAINTIFFS' MOTION FOR
PROTECTIVE ORDER, TO
QUASH SUBPOENAS, FOR
EXPEDITED DISCOVERY
STAY, AND FOR TRANSFER**

**ORAL ARGUMENT
REQUESTED**

**EXPEDITED RELIEF
REQUESTED**

(Related Cases:

SDNY Case No. 14-cv-9494 and
D. Mont. MC 16-1-BLG-SPW-CSO)

Plaintiffs Safebuilt Insurance Services, Inc. (“SIS”), The Taft Companies, LLC (“Taft”), Preferred Global Holdings, Inc. (“Preferred Global”), David E. Pike (“Pike”), David E. Pike, Inc. (“Pike Ins.”), Philip Salvagio (“Salvagio”), Salmen Insurance Services, Inc. (“Salmen”), Carl Savoia (“Savoia”), Pacific Re, Inc. (“Pacific Re”), and Pac Re 5-AT (“Cell 5”), a protected cell captive of Pacific Re (collectively, “Plaintiffs”), pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure, hereby file this Miscellaneous Action and Motion For Protective Order, To Quash Subpoenas, For Discovery Stay, and For Transfer (the “Motion”).

Plaintiffs request that this Court quash the March 2, 2016, Subpoena served on the Office of the Commissioner of Securities and Insurance for the State of Montana for a March 14, 2016, deposition (the “Subpoena”) issued by Defendants AmTrust North America, Inc. (“AmTrust”) and Technology Insurance Company, Inc.’s (“TIC,” and together with AmTrust, “Defendants”). The Subpoena should be quashed because it seeks discovery of information that is privileged and confidential, among other reasons, pursuant to Mont. Code Ann. § 33-28-108(3).

In the alternative, if the Court is not inclined to quash the Subpoena, Plaintiffs request this Court stay its enforcement pending the outcome of

this Motion and the related special proceeding, *AmTrust North America, Inc., et al. v. Safebuilt Insurance Services, Inc., et al.*, Case No. MC 16-1-SPW-CSO, challenging an assertion of privilege over the same subject matter covered by the Subpoena at issue here.

Further, for efficiency and justice, Plaintiffs request this Court transfer this action to the Southern District of New York for adjudication as a related proceeding has been litigated in that jurisdiction for over one year, and that court has an understanding and in-depth knowledge of the facts and circumstances of the underlying proceedings, and is best positioned to resolve this dispute in context.

As this Court's decision impacts a deposition noticed for March 14, 2016, Plaintiffs respectfully request and expedited opinion and order in this matter.

DATED this 10th day of March, 2016.

MOULTON BELLINGHAM PC

By /s/ Michele L. Braukmann
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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2016, a copy of the foregoing document was served on the following persons by the following means:

	CM/EFC	Hand Delivery	Mail	Overnight Delivery Service	Fax	Email
Michael D. Brown Ohrenstein & Brown, LLP P.O. Box 9243 Garden City, NY 11530			X			
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/ s / Michele L. Braukmann
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